



January 30, 2004

HOUSE BILL No. 1287

DIGEST OF HB 1287 (Updated January 27, 2004 10:35 am - DI 96)

Citations Affected: IC 9-24; IC 9-27; noncode.

Synopsis: Various motor vehicle matters. Permits a licensed commercial driver training school to conduct classroom training in a county outside the county in which the school is located. Specifies that a learner's permit holder who: (1) is less than 18 years old and holds a validated permit; or (2) is enrolled in an approved driver's education course; may drive a motor vehicle when the seat beside the driver's seat is occupied by a stepparent of the permit holder who holds a valid operator's license.

Effective: Upon passage; July 1, 2004.

Goodin

January 15, 2004, read first time and referred to Committee on Roads and Transportation.
January 29, 2004, amended, reported — Do Pass.

C
o
p
y

HB 1287—LS 6060/DI 96+



January 30, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

HOUSE BILL No. 1287

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-24-7-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2004]: Sec. 4. A learner's permit authorizes the
3 permit holder to operate a motor vehicle, except a motorcycle, upon a
4 public highway under the following conditions:

5 (1) While the holder is participating in practice driving in an
6 approved driver education course and is accompanied by a
7 certified driver education instructor in the front seat of an
8 automobile equipped with dual controls.

9 (2) If the learner's permit has been validated and the holder is less
10 than eighteen (18) years of age, the holder may participate in
11 practice driving if the seat beside the holder is occupied by a
12 guardian, **stepparent**, or relative of the holder who holds a valid
13 operator's, chauffeur's, or public passenger chauffeur's license.

14 (3) If the learner's permit has been validated and the holder is at
15 least eighteen (18) years of age, the holder may participate in
16 practice driving if accompanied in the vehicle by an individual
17 who holds a valid operator's, chauffeur's, or public passenger

HB 1287—LS 6060/DI 96+



C
o
p
y

chauffeur's license.

(4) While:

(A) the holder is enrolled in an approved driver education course;

(B) the holder is participating in practice driving after having commenced an approved driver education course; and

(C) the seat beside the holder is occupied by a parent, **stepparent**, or guardian of the holder who holds a valid operator's, chauffeur's, or public passenger chauffeur's license.

SECTION 2. IC 9-27-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) To establish or operate a commercial driver training school, the school must obtain a license from the bureau in the manner and form prescribed by the bureau.

(b) **Subject to subsection (c)**, the bureau shall adopt rules under IC 4-22-2 that state the requirements for obtaining a school license, including the following:

(1) Location of the school.

(2) Equipment required.

(3) Courses of instruction.

(4) Instructors.

(5) Previous records of the school and instructors.

(6) Financial statements.

(7) Schedule of fees and charges.

(8) Character and reputation of the operators and instructors.

(9) Insurance in the amount and with the provisions the bureau considers necessary to adequately protect the interests of the public.

(10) Other matters the bureau prescribes for the protection of the public.

(c) The rules adopted under subsection (b) must permit a licensed school to conduct classroom training in a county outside the county where the school is located to the students of:

(1) a school corporation (as defined in IC 36-1-2-17);

(2) a nonpublic secondary school that voluntarily becomes accredited under IC 20-1-1-6; or

(3) a nonpublic secondary school recognized under IC 20-1-1-6.2;

if the governing body of the school corporation or the nonpublic secondary school approves the delivery of the training to its students.

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 9-27-4-4, as amended by this act, the bureau

C
o
p
y



1 of motor vehicles shall carry out the duties imposed upon it under
2 IC 9-27-4-4, as amended by this act, under interim written
3 guidelines approved by the commissioner of the bureau of motor
4 vehicles.

5 (b) This SECTION expires on the earlier of the following:

6 (1) The date rules are adopted under IC 9-27-4-4, as amended
7 by this act.

8 (2) December 31, 2004.

9 SECTION 4. An emergency is declared for this act.

**C
o
p
y**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1287, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-24-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 4. A learner's permit authorizes the permit holder to operate a motor vehicle, except a motorcycle, upon a public highway under the following conditions:

(1) While the holder is participating in practice driving in an approved driver education course and is accompanied by a certified driver education instructor in the front seat of an automobile equipped with dual controls.

(2) If the learner's permit has been validated and the holder is less than eighteen (18) years of age, the holder may participate in practice driving if the seat beside the holder is occupied by a guardian, **stepparent**, or relative of the holder who holds a valid operator's, chauffeur's, or public passenger chauffeur's license.

(3) If the learner's permit has been validated and the holder is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the vehicle by an individual who holds a valid operator's, chauffeur's, or public passenger chauffeur's license.

(4) While:

(A) the holder is enrolled in an approved driver education course;

(B) the holder is participating in practice driving after having commenced an approved driver education course; and

(C) the seat beside the holder is occupied by a parent, **stepparent**, or guardian of the holder who holds a valid operator's, chauffeur's, or public passenger chauffeur's license."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1287 as introduced.)

RESKE, Chair

Committee Vote: yeas 12, nays 0.

HB 1287—LS 6060/DI 96+



C
o
p
y